REMARKS

Claims 25-31, 33-36, and 38-43 are pending in this application. Claims 25 and 36 are amended.

The Examiner has rejected claims 25-31 and 33-35 under 35 U.S.C. § 112, second paragraph. Applicant has amended the claims to address the Examiner's concerns.

The Examiner has rejected claims 25-31, 33-36,[1] and 38-43 under 35 U.S.C. § 103(a) over Balasubramaniam and Cavasa.[2] Applicant respectfully traverses these rejections.

Applicant's techniques are directed to optimizing network-based applications. A network-based application (e.g., software component) may be customized for a particular execution environment of a client to optimize the user's experience. Applicant's techniques determine whether a software component can successfully execute in the execution environment of the client. For example, applicant's techniques may determine whether the client supports a certain scripting language, whether the client contains previously installed files for the application, security policies of the client, hardware configuration of the client, and other parameters. If the software component can successfully execute on the client, the client provides these parameters to the server in connection with a request to download the software component. The server downloads to the client a software component that is configured by the server according to these provided parameters. That is, the server may customize or adapt the software component based on one or more of these parameters. If, on the other hand, the

[1] While the Examiner omits claim 36 from the listing of claims rejected under 35 U.S.C. § 103(a) over Balasubramaniam and Cavasa (Office Action, Jan. 7, 2009, p. 5), applicant believes that this was an inadvertent error.
[2] Applicant notes that Cavasa is U.S. Patent No. 5,579,511, rather than U.S. Patent No. 5,421,009 as indicated by the Examiner. (Id.)

software component cannot successfully execute on the client, an error message is presented to the client.

In some embodiments, applicant's techniques continue to detect parameters of the client's execution environment after the configured software component has been downloaded to the client. If a change in a parameter of the execution environment is detected, the client notifies the server of the change to the parameter, so that the server can re-configure the software component for the changed execution environment. For example, the server may adjust the configuration and settings of the software component based on the changed parameter.

Balasubramaniam describes browsing web sites using Internet Explorer or another browser. A web server may serve web pages that can only be displayed on a client computer running Internet Explorer. That is, these web pages cannot be displayed on a client computer running a browser other than Internet Explorer, such as Netscape Navigator. To allow a user running a browser other than Internet Explorer to display a web page, a plug-in that emulates Internet Explorer must be installed on the client computer. Balasubramaniam discloses determining whether the client is using Internet Explorer. If so, the web page is served to the client. If not, the web server determines whether the plug-in is already installed on the client computer and, if not, the web server downloads the plug-in to the client computer. A user may manually download the plug-in after filling out a form on a second web page displayed by the web server, or the plug-in may be automatically downloaded to the client computer.

Cavasa describes validating the configuration of a computer installation, such as a complex installation used in the flight control of an aircraft. When an existing device in an installation is to be replaced with a new device, Cavasa ensures that the new device will not disrupt the functionality of the installation. Cavasa determines whether the new device is (1) interchangeable with the existing device, and (2) compatible with the other devices in the installation. If the new device is interchangeable and compatible, the new

device is permitted to replace the existing device. If not, the new device must be replaced by the existing device.

Claims 25-31 and 33-35 recite "receiving from the server the software component configured according to the determined parameters [of the execution environment of the client]." Claims 36 and 38-43 recite "configuring the software component according to the determined parameters [of the execution environment of the client]."

The Examiner cites Balasubramaniam at 4:36-47, 6:1-6, 6:22-32, and 6:47-51 as corresponding to these recited features. In particular, the Examiner notes that "Balasubramaniam's reference to a 'Netscape' browser is merely exemplary and that each plug-in is configured for use with a particular browser." (Office Action, Jan. 7, 2009, pp. 2-3, 6.)

Balasubramaniam does not disclose a "software component [configured] according to the determined parameters [of the execution environment of the client]," as recited. While Balasubramaniam describes that a user may "illustratively" use Netscape Navigator to visit a web page, Balasubramaniam does not disclose plug-ins that are each configured for use with a particular browser, as indicated by the Examiner. Balasubramaniam's mere acknowledgement that a user may use a browser other than Netscape Navigator does not necessitate plug-ins that are configured based on the type of browser. The same plug-in could be downloaded to all users using a browser other than Internet Explorer, regardless of which type of other browser is used. Balasubramaniam certainly offers no disclosure to the contrary.

Claims 25-31 and 33-35 recite "determining whether the software component can successfully execute in the execution environment of the client." Claims 36 and 38-43 recite "a launch page that includes code to ... determine whether the software component can successfully execute in the execution environment of the client."

The Examiner cites Balasubramaniam at 6:47-51 as disclosing these recited features. (Office Action, Jan. 7, 2009, p. 6.) The cited portion of Balasubramaniam describes that a client computer may manually download the plug-in after filling out a form displayed on a second web page, or the plug-in may be automatically downloaded to the client computer.

Balasubramaniam fails to disclose "determining whether the software component can successfully execute in the execution environment of the client," as recited. Balasubramaniam merely describes determining which type of browser a user is using – (1) Internet Explorer or (2) a browser other than Internet Explorer. Simply determining which type of browser is being used is not the same as or equivalent to "determining whether the software component can successfully execute in the execution environment of the client." That is, determining which type of browser is being used offers no indication as to whether the plug-in will be able to successfully execute on the client once the plug-in is downloaded.

As amended, claims 25-31 and 33-35 recite, "when a change in a parameter is detected, notifying the server of the change to the parameter so that the server can effect the re-configuring of the software component."

The Examiner cites Cavasa at Fig. 3, steps 107 and 112, and 8:26-29 as corresponding to this recited feature. The cited portions of Cavasa describe that when there is a change in the configuration of an installation, an alarm may be displayed on a computer screen. For example, an alarm may read: "modification of configuration." In addition, at various stages of validating a configuration, a report may be printed. The report may include configuration modification alarms, results of interchangeability and compatibility checks, validation of a new configuration, and/or authorization to load a new configuration into memory. (Cavasa, Fig. 12; 9:3-10.)

Cavasa does not disclose "when a change in a parameter is detected, notifying the server of the change to the parameter so that the server can effect the re-configuring of the software component," as recited. While Cavasa may detect a change in an installation configuration, such as when an existing device is replaced by a new device, Cavasa does not disclose anything that corresponds to re-configuring the new device. The new device is either permitted to replace the existing device, or it is not. If the new device is not interchangeable with the existing device and/or is incompatible with other devices in the configuration, the new device is simply not permitted to replace the existing device. Cavasa does not disclose reconfiguring the new device so that it is interchangeable and compatible.

Moreover, applicant does not understand why one skilled in the art would be motivated to combine Balasubramaniam's system for browsing web pages with Cavasa's system for validating an installation configuration. Even if such a combination were feasible, it would seem to require detecting whether Balasubramaniam's user has installed a new browser, and, if so, downloading a re-configured plug-in to the user. Such a scenario simply makes no sense. Applicant fails to see how Balasubramaniam and Cavasa may be combined to arrive at any of applicant's claims.

In view of the above amendment, applicant believes the pending application is in condition for allowance and respectfully requests a Notice of Allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 418268862US1 from which the undersigned is authorized to draw.

Dated: April 7, 2009

Respectfully submitted,

By _____

Maurice J. Pirio
Registration No.: 33,273
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8548
(206) 359-9000 (Fax)
Attorney for Applicant